

REMARKS

In response to the Office Action dated November 14, 2006, claims 2 is amended, and claim 6 is added. Claims 1-6 are active.

RESTRICTION

The Office Action of 9/21/06 restricted the present invention into a first species (claims 1-3) and a second species (claims 4-5). The Election of 10/19/06 elected the second species (claims 4-5) for examination. However, contrary to the election, the present Office Action of 11/14/06 states that claim 4 is withdrawn, and examines only claims 1-3 and 5.

Thus, Applicant requests that claim 4 be examined, because claim 4 is an elected claim.

INDICATION OF ALLOWABLE SUBJECT MATTER

Applicant appreciates the indication of allowable subject matter in claim 2. Claim 2 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 2 has been amended into independent form including all of the limitations of the base claim. There were no intervening claims. As such, it is respectfully submitted that claim 2 is in condition for allowance.

rather merely discloses a set of relatively large offset curves in the light guiding plate which are designed to match and fit and closely adhere into a set of the same offset curves in the housing.

Thus, Yoshitoshi does not teach or suggest “roughened” as recited in claim 1, but merely teaches “a step surface having a radius which becomes gradually larger” as discussed above. Further, the surfaces of Yoshitoshi are intentionally designed to mate together so that they are “closely adhered,” as described at paragraph [0030]. In contrast to Yoshitoshi, the “roughened” surface of independent claim 1 is “roughened” to prevent the surface from sticking or adhering. **Thus, Yoshitoshi actually teaches away from the “roughened” surface of claim 1.** As such, it is clear that Yoshitoshi does not disclose or suggest all of the elements of pending claim 1, and therefore claim 1 is patentable over Yoshitoshi.

Under Federal Circuit guidelines, a dependent claim is nonobvious if the independent claim upon which it depends is allowable because all the limitations of the independent claim are contained in the dependent claims, *Hartness International Inc. v. Simplimatic Engineering Co.*, 819 F.2d at 1100, 1108 (Fed. Cir. 1987). Accordingly, as independent claim 1 is patentable for the reasons set forth above, it is respectfully submitted that all claims dependent thereon (2, 3, and 5) are also patentable.

Thus, dependent claims 2, 3, and 5 are distinguishable over the prior art, for at least the same reasons as independent claim 1.

Independent claim 4 recites, in part, “wherein a transparent sheet is disposed on the principal surface of the light guiding plate, and the transparent sheet is disposed on a predetermined region at which the housing and the light guiding plate are opposed to each other.”

REJECTION OF CLAIMS UNDER 35 U.S.C. § 103

Claims 1, 3, and 5 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Yoshitoshi, US 2002/0071067 (“067”), apparently in view of Official Notice regarding reflectors.

Independent claim 1 recites “wherein at least one contact surface of a predetermined region at which the housing and the light guiding plate contact each other is **roughened**.” Emphasis added.

To establish *prima facie* obviousness under 35 U.S.C. § 103(a) requires that all the claim limitations must be taught or suggested by the prior art. *In re Rokya*, 490 F. 2d 981, 180 USPQ 580 (CCPA 1974).

The Office Action, at page 2, asserts that Yoshitoshi, FIG. 3, element 162, discloses the element “at least one contact surface of a predetermined region at which the housing and the light guiding plate contact each other is **roughened**,” as recited in claim 1 of the pending application. Emphasis added.

Element 162 of Yoshitoshi is described at paragraph [0030], which states that “the back face 152 of the light guide plate 15 is formed a step surface 153 made by offset curves shown in FIG. 4, and the slope 162 of the second case 16 is formed [sic] a step surface made by the same offset curves so as to be **closely adhered** to the back surface 152 of the guide plate 15.” Emphasis added. These offset curves are described at paragraph [0032], which states that “[t]he step surface (hereinafter the reference number 152 will be put on) made by offset curves of the present example is, as shown in FIG. 4, a step surface having a radius which becomes gradually larger while keeping a certain distance “t” by setting the opening 161, to which the light source 17 is set, as the center.” In other words, Yoshitoshi does not disclose a roughened surface, but

Yoshitoshi does not teach or suggest the recited limitation of claim 4, but merely discloses, at paragraph [0030], that “the back face 152 of the light guide plate 15 is formed [sic] a step surface 153 made by offset curves shown in FIG. 4, and the slope 162 of the second case 16 is formed [sic] a step surface made by the same offset curves so as to be closely adhered to the back surface 152 of the guide plate 15.” Yoshitoshi does not disclose or suggest the use of a transparent sheet disposed on the principle surface of the light guiding plate.

Thus, independent claim 4 is distinguishable over the prior art.

Independent claim 6 recites, in part, “a sliding member is interposed between the housing and the light guiding plate at a point of contact.”

Yoshitoshi does not teach or suggest the recited limitation of claim 6, but merely discloses, at paragraph [0030], that “the back face 152 of the light guide plate 15 is formed a step surface 153 made by offset curves shown in FIG. 4, and the slope 162 of the second case 16 is formed a step surface made by the same offset curves so as to be closely adhered to the back surface 152 of the guide plate 15.” Yoshitoshi does not disclose or suggest a sliding member interposed between the housing and the light guiding plate at a point of contact.

Thus, independent claim 6 is distinguishable over the prior art.

CONCLUSION

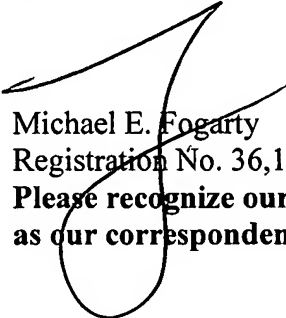
Accordingly, it is urged that the application, as now amended, is in condition for allowance, an indication of which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, Examiner is requested to call Applicants' attorney at the telephone number shown below.

Application No.: 10/528,077

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

MCDERMOTT WILL & EMERY LLP



Michael E. Fogarty
Registration No. 36,139
**Please recognize our Customer No. 53080
as our correspondence address.**

600 13th Street, N.W.
Washington, DC 20005-3096
(202) 756-8000 MEF/EG/cac
Date: February 14, 2007
Facsimile: (202) 756-8087